

IDAPA 13 – DEPARTMENT OF FISH AND GAME

13.01.08 - RULES GOVERNING THE TAKING OF BIG GAME ANIMALS IN THE STATE OF IDAHO

DOCKET NO. 13-0108-1301

NOTICE OF INTENT TO PROMULGATE RULES - NEGOTIATED RULEMAKING

AUTHORITY: In compliance with Section 67-5220, Idaho Code, notice is hereby given that this agency intends to promulgate rules and desires public comment prior to initiating formal rulemaking procedures. This negotiated rulemaking action is authorized pursuant to Section 36-104 Idaho Code.

METHOD OF PARTICIPATION: Interested persons wishing to participate in the negotiated rulemaking must respond to this notice by contacting the undersigned either in writing, by email, or by calling the phone number listed below. To participate, responses must be received by July 24, 2013.

Should a reasonable number of persons respond to this notice, negotiated meetings will be scheduled and all scheduled meetings shall be posted and made accessible on the agency website at the address listed below.

Failure of interested persons to respond to this notice of intent or the lack of a sufficient number of responses to this notice of intent may result in the discontinuation of further informal proceedings. In either event the agency shall have sole discretion in determining the feasibility of scheduling and conducting informal negotiated rulemaking and may proceed directly to formal rulemaking if proceeding with negotiated rulemaking is deemed infeasible.

Upon the conclusion of the negotiated rulemaking, any unresolved issues, all key issues considered, and conclusions reached during the negotiated rulemaking will be addressed in a written summary and made available on the agency website.

PRELIMINARY DRAFT: IDAPA 13.01.08.271. Completion of Bear Identification Course and Exam Required. Any individual who wishes to hunt bears in a game management unit where both black bears and grizzly bears may be encountered must first complete the Department's bear identification course and exam with a score of eighty percent (80%) or greater needed for successful completion. Certification of successful completion of the course and exam will be required of individuals hunting any bear in those units specified by Fish and Game Commission proclamation.

DESCRIPTIVE SUMMARY: The following is a statement in nontechnical language of the substance and purpose of the intended negotiated rulemaking and the principle issues involved:

Idaho Department of Fish and Game (Department) proposes to require that all bear hunters successfully complete a grizzly bear and black bear identification course and exam prior to hunting bears in game management units where both black bears and grizzly bears may be encountered. Game management units in which the course and exam are required would be specified by Fish and Game Commission proclamation and would likely include game management units 1, 2, 3, 4, 4A, 6, 7, 9, 10, 12, 17, 60, 61, 62, 62A, 64, 65, 66, and 67. The course and exam is available on the Department's website or could be completed at a Department Regional office or the Headquarters office. Failure to provide proof of

successfully completing the course and exam prior to hunting any bear in the specified units would be an infraction. Hunters would be required to successfully complete the course and exam only once. After successful completion of the course and exam, a record of the completion would be entered into the Department licensing system and a validation would appear on the hunter's license.

Reducing the mistaken identity of grizzly bears by black bear hunters may increase human safety and improve grizzly bear management. Human safety can be increased by reducing the likelihood of shooting and wounding a grizzly bear. Reductions in human-caused grizzly bear deaths will benefit recovery and delisting efforts.

This proactive education plan will allow the state of Idaho to continue to manage black bears responsibly while protecting grizzly bears, thereby retaining and/or increasing opportunities for state management of grizzly bears.

ASSISTANCE ON TECHNICAL QUESTIONS, SUBMISSION OF WRITTEN COMMENTS, OBTAINING DRAFT COPIES: For assistance on technical questions concerning this negotiated rulemaking or to obtain a copy of the preliminary draft of the text of the proposed rule, contact Craig White, (208) 334-2920 or visit the agency website at <http://fishandgame.idaho.gov>

Anyone may submit written comments regarding this negotiated rulemaking. All written comments must be directed to the undersigned and must be delivered on or before July 24, 2013.

DATED this June 7th, 2013.

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